

UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

FILED

SEP 3 2024

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

ROSE MARIE BUTTERFLY,

Plaintiff - Appellant,

and

JOY LYNN VALLES,

Plaintiff,

v.

BENEFITS HEALTH SYSTEM; et al.,

Defendants - Appellees.

No. 24-4348

D.C. No.

4:18-cv-00096-BMM

District of Montana,

Great Falls

ORDER

Before: SCHROEDER, M. SMITH, and HURWITZ, Circuit Judges.

Appeal No. 24-4348 challenges the same January 6, 2020 order and judgment challenged in closed appeal No. 20-35257. Appeal No. 20-35257 vacated the January 6, 2020 judgment and remanded this matter to the district court, where it remains pending. A jury trial is scheduled for January 14, 2025. This appeal No. 24-4348 does not challenge any new orders of the district court that are final or appealable. *See* 28 U.S.C. § 1291. Consequently, this appeal is dismissed as duplicative of closed appeal No. 20-35257 and for lack of jurisdiction.

All pending motions are denied as moot.

**DISMISSED.**